

Union Calendar No. 330

115TH CONGRESS
1ST SESSION

H. R. 3245

[Report No. 115-448, Part I]

To amend title XI of the Social Security Act to increase civil money penalties and criminal fines for Federal health care program fraud and abuse, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2017

Mr. BILIRAKIS (for himself and Ms. CASTOR of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 6, 2017

Reported from the Committee on Energy and Commerce

DECEMBER 6, 2017

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title XI of the Social Security Act to increase civil money penalties and criminal fines for Federal health care program fraud and abuse, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Civil and
5 Criminal Penalties Update Act”.

6 **SEC. 2. INCREASED CIVIL AND CRIMINAL PENALTIES AND**

7 **INCREASED SENTENCES FOR FEDERAL**
8 **HEALTH CARE PROGRAM FRAUD AND ABUSE.**

9 (a) INCREASED CIVIL MONEY PENALTIES AND
10 CRIMINAL FINES.—

11 (1) INCREASED CIVIL MONEY PENALTIES.—Sec-
12 tion 1128A of the Social Security Act (42 U.S.C.
13 1320a-7a) is amended—

14 (A) in subsection (a), in the matter fol-
15 lowing paragraph (10)—

16 (i) by striking “\$10,000” and insert-
17 ing “\$20,000” each place it appears;

18 (ii) by striking “\$15,000” and insert-
19 ing “\$30,000”; and

20 (iii) by striking “\$50,000” and insert-
21 ing “\$100,000” each place it appears; and

22 (B) in subsection (b)—

23 (i) in paragraph (1), in the flush text
24 following subparagraph (B), by striking
25 “\$2,000” and inserting “\$5,000”;

- (ii) in paragraph (2), by striking “\$2,000” and inserting “\$5,000”; and
- (iii) in paragraph (3)(A)(i), by striking “\$5,000” and inserting “\$10,000”.

(A) in subsection (a), in the matter following paragraph (6)—

10 (i) by striking “\$25,000” and insert-
11 ing “\$100,000”; and

12 (ii) by striking “\$10,000” and insert-
13 ing “\$20,000”;

14 (B) in subsection (b)—

(ii) in paragraph (2), in the flush text following subparagraph (B), by striking “\$25 000” and inserting “\$100 000”;

(C) in subsection (c), by striking
“\$25,000” and inserting “\$100,000”;

23 (D) in subsection (d), in the flush text fol-
24 lowing paragraph (2), by striking “\$25,000”
25 and inserting “\$100,000”; and

(E) in subsection (e), by striking “\$2,000” and inserting “\$4,000”.

3 (b) INCREASED SENTENCES FOR FELONIES INVOLV-
4 ING FEDERAL HEALTH CARE PROGRAM FRAUD AND
5 ABUSE.—

(2) ANTIKICKBACK.—Section 1128B(b) of such Act (42 U.S.C. 1320a-7b(b)) is amended—

1 more than five years” and inserting “not more than
2 10 years”.

3 (4) EXCESS CHARGES.—Section 1128B(d) of
4 such Act (42 U.S.C. 1320a–7b(d)) is amended, in
5 the flush text following paragraph (2), by striking
6 “not more than five years” and inserting “not more
7 than 10 years”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to acts committed after the date
10 of the enactment of this Act.

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